

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

STRYKER SALES, LLC,
and STRYKER EMPLOYMENT CO., LLC,

Plaintiffs,
vs.

PRODIGY SURGICAL DISTRIBUTION, INC.,
and BRAZEN SOLUTIONS, LLC,

**TEMPORARY
RESTRAINING ORDER**

6:24-cv-06122 EAW

Defendants.

Plaintiffs Stryker Sales, LLC and Stryker Employment Co., LLC (together, “Stryker”) commenced the above captioned matter by the filing of a complaint on or about February 26, 2024 (Dkt. 1), and on that same date filed a Motion seeking a Temporary Restraining Order, an Expedited Hearing, and a Preliminary Injunction (Dkt. 2).

Stryker seeks a preliminary injunction restraining Defendants Prodigy Surgical Distributions, Inc., (“Prodigy”) and Brazen Solutions, LLC (“Brazen”) from (1) submitting any bid in competition with Stryker on the SUNY Upstate Project as described in its complaint and accompanying affidavits; (2) prohibiting Defendants Prodigy and Brazen from utilizing any confidential, proprietary or trade secret information obtained from Matthew Hollway; (3) enjoining and restraining Defendants Prodigy and Brazen from working directly or indirectly with Mr. Hollway for any work in the greater Syracuse, New York area until the Restrictive Period of Mr. Hollway’s Restrictive Covenant Agreement has ended; and (4) requiring that Defendants Brazen and Prodigy permanently delete or destroy any Stryker customer information, pricing information, or other confidential or proprietary trade secret information in their possession obtained through Matthew Hollway; (5) for costs, disbursements and attorney fees of this action plus interest thereon; and (6) for such other and further relief as the Court deems just and proper.

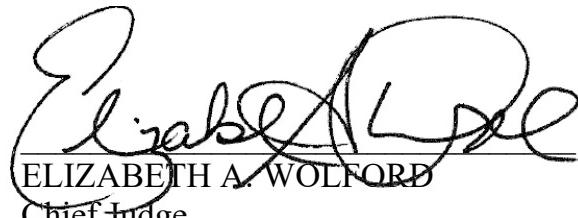
Upon consent of all parties and for the reasons discussed on the record on February 29, 2024, Stryker's Motion for a Temporary Restraining Order is hereby **GRANTED** on the terms set forth herein, and it is hereby

ORDERED, that pending a further Order from this Court, Defendants Prodigy and Brazen are temporarily enjoined and restrained from (a) responding to the email dated February 9, 2024, with the subject line "Towers" from Kelly Hartman, Director of Hospital Purchasing for Upstate University Hospital, to Dottie Boehlert and Matthew Hollway, a copy of which can be found at Docket No. 2-6; and (b) from using any information that was provided to them by Matthew Hollway that constitutes confidential information or trade secret information that belongs to Stryker; and it is further

ORDERED, that Prodigy is directed to provide its employee, Matthew Hollway, a copy of this Temporary Restraining Order together with the papers upon which it is granted, on or before March 1, 2024; and it is further

ORDERED that a further in-person status conference is scheduled for Thursday, March 14, 2024, at 12:30 p.m., at the United States Courthouse, 100 State Street, Rochester, New York.

SO ORDERED.



ELIZABETH A. WOLFORD
Chief Judge
United States District Court

Dated: February 29, 2024
Rochester, New York